

1 Martha G. Bronitsky  
2 Chapter 13 Standing Trustee  
3 Po Box 5004  
4 Hayward, CA 94540  
(510) 266- 5580

4 Trustee for Debtor(s)

5 UNITED STATES BANKRUPTCY COURT  
6 NORTHERN DISTRICT OF CALIFORNIA  
7 OAKLAND DIVISION

8 In re

9 Carol Lee Depuydt-Meier

10 debtor(s)

11 Chapter 13 Case No. 20-41288-WJL13

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12 **CHAPTER 13 TRUSTEE'S OBJECTION TO CLAIM OF EXEMPTIONS**

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13 Martha G. Bronitsky, Chapter 13 Standing Trustee ("Trustee"), objects to the Debtor's  
claim of exemptions.

14 The Trustee requests, that the Court take judicial notice of its own records in the case  
15 herein in support of the facts set forth below. Fed.R.Evid.201.

16

17 **BACKGROUND & ANALYSIS**

18 1. Debtor filed this case on August 03, 2020.

19 2. California is an opt-out state. Debtors may not take the federal exemptions contained  
20 in 11 U.S.C. § 522(D). Cal. Code Civ. Proc. § 703.130. California offers debtors alternative  
21 exemption schemes—one based on California's regular judgment exemptions.

22 (Cal. Code Civ. Proc. §§ 703.010 to 704.995, hereafter the "regular exemptions") and  
23 another substantially similar to the federal bankruptcy exemptions (Cal. Code Civ. Proc. §  
24 703.140(b), hereafter the "special exemptions"). Cal. Code Civ. Proc. § 703.140. In  
25 California, debtors in bankruptcy can choose either the regular exemptions or special  
26 special exemptions. Cal. Code Civ. Proc. § 703.140.

3. Debtor has not cited any legal authority (i.e. statute) in exemption of her homestead,  
electronics, piano, clothes, and retirement. Debtor is in no way entitled to a homestead  
exemption of \$362,000.00. Debtor is at most entitled to a \$75,000.00 homestead exemption  
pursuant to CCP 704.730.

## **CONCLUSION**

WHEREFORE, the Trustee respectfully objects to the Debtor's claimed exemptions. A hearing shall be set, when and if necessary, based on further investigation and analysis.

RESPECTFULLY SUBMITTED

Date: September 08, 2020

/s/ Martha G. Bronitsky

Signature of Martha G. Bronitsky  
Chapter 13 Standing Trustee

1 In re

2 Carol Lee Depuydt-Meier  
3 debtor(s)

Chapter 13 Case No.  
20-41288-WJL13

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3 CERTIFICATE OF SERVICE

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4 I HEREBY CERTIFY that I have served a copy of the within and foregoing document  
5 on the debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor  
6 representatives and the registered agent for the creditor by depositing it in the United  
7 States mail with first class postage attached thereto.

8 I declare under penalty of perjury under the laws of the State of California that the  
foregoing is true and correct.

9 Carol Lee Depuydt-Meier  
10 61 Rudgear Drive  
Walnut Creek, CA 94596

Pro Per

11 (Counsel for Debtor)

12 (Debtor(s))

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16 Date: September 08, 2020

/s/ Nima Ghazvini  
Nima Ghazvini

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